

Exhibit E

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Volume 14

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
BEFORE THE HONORABLE SUSAN ILLSTON

In Re: TFT-LCD (Flat Panel))
Antitrust Litigation.)
_____)

No. M. 07-01827 SI
San Francisco, California
Wednesday
June 13, 2012
8:37 a.m.

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

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Plaintiffs

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(Appearances continued on next page)

Lydia Zinn, CSR #9223, and Belle Ball, CSR #8785
Official Reporters - U.S. District Court
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<p>1 THE COURT: You want to just say reduce the damages 2 they might be subject to -- 3 MR. TOTO: By two thirds. 4 THE COURT: Well, just reduce them. How about that? 5 Just if there's a way to reduce the damages. 6 MR. TOTO: Well, we think it's significant that it's 7 not just some small reduction; some small discount. This is a 8 gigantic reduction: Two thirds. 9 THE COURT: All right. A two-thirds reduction. 10 MR. TOTO: Yes. 11 THE COURT: That would be fine. And they don't they 12 don't need to know one way or another. 13 MR. SIMON: Well, it's a fine line. And I'd just -- 14 I don't know what Counsel intends to ask. I think he could get 15 there without even going to that point. And if he crosses the 16 line, and Dr. Flamm or him, in talking to each other, it comes 17 out that there's some sort of trebling, we can't take that 18 back. 19 THE COURT: Well, then, we'll just have to give a 20 curative instruction. 21 MR. TOTO: I don't to violate your instruction here, 22 your Honor. 23 MR. GLACKIN: It's -- 24 MR. TOTO: It seems pretty clear to me. 25 Just so it's clear, by the way, the Samsung Lydia Zinn, CSR #9223, and Belle Ball, CSR #8785 Official Reporters - U.S. District Court (415) 531-6587</p>	<p>1 anything about trebling. 2 THE COURT: Okay. All right. 3 MR. GLACKIN: Shall I bring him in? 4 THE COURT: Yeah. Are you ready? 5 MR. TOTO: Yes. 6 THE COURT: And, Mr. Glackin, he's truly feeling all 7 right? 8 MR. GLACKIN: He's feeling great. Thank you for 9 asking. 10 THE COURT: Okay. 11 (Jury in at 1:10 p.m.) 12 THE COURT: Do we have a witness? 13 (Witness resumes stand) 14 THE COURT: All right. Mr. Toto, you may proceed. 15 And, Dr. Flamm, you're still under oath from this 16 morning, sir. 17 MR. TOTO: Thank you, your Honor. 18 CROSS-EXAMINATION RESUMED 19 BY MR. TOTO 20 Q. Welcome back, Dr. Flamm. 21 A. Thank you. 22 Q. I would like to turn back to Exhibit 228 that we were 23 talking about before lunch, which is a meeting between Sharp 24 and Toshiba's PC company. Do you have that in front of you? 25 A. Sure. I think this is it right here. Lydia Zinn, CSR #9223, and Belle Ball, CSR #8785 Official Reporters - U.S. District Court (415) 531-6587</p>
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<p>1 interrogatory responses, themselves, refer to the ACPERA 2 statute. And they say, "We are operating under ACPERA." 3 Samsung says that. So just so it's clear. 4 MR. SIMON: Well, they do refer to it; but there's -- 5 I think you can get there by talking about the Corporate 6 Leniency Program, and what, you know, ACPERA is, without 7 getting into the trebling issue. We've already read an 8 instruction to them yesterday which talks about it, so there's 9 a way to skin the cat, without -- 10 THE COURT: Which talks about what? 11 MR. SIMON: We had the description of Samsung being 12 the leniency applicant in the guilty-plea instruction that you 13 read to them yesterday, so they know it under terms that it's a 14 "Corporate Leniency Program." 15 To the extent he wants to go into that with 16 Dr. Flamm, he can. 17 The extent that he wants to use the -- 18 THE COURT: Well, I'll allow you to ask him. And we 19 should somehow get this to Dr. Flamm, also, in case -- because 20 he probably knows about trebling. Say, "And you can reduce 21 your damages to a third of what they might be, or reduce them 22 by two thirds." 23 MR. GLACKIN: I'll -- 24 MR. TOTO: Okay. 25 MR. GLACKIN: -- instruct him not to blurt out Lydia Zinn, CSR #9223, and Belle Ball, CSR #8785 Official Reporters - U.S. District Court (415) 531-6587</p>	<p>1 Q. Okay. Now, again, this is dated October 23rd, 2001. 2 Correct, sir? 3 A. Yes. 4 Q. Now, you're aware, sir, that price increases in the LCD 5 industry are sometimes reported in the press. Right? 6 A. Yes. 7 MR. TOTO: Your Honor, I'd like permission to show a 8 newspaper article on the screen that's relevant to this 9 discussion here. 10 MR. GLACKIN: Could I have a copy, please? 11 No objection, your Honor. 12 THE COURT: All right. 13 (Document displayed) 14 MR. TOTO: Maybe we could have a copy for the 15 witness. 16 Your Honor, may I approach? 17 THE WITNESS: Okay. Thank you. 18 BY MR. TOTO 19 Q. Okay. Sir, do you see this is a -- would you look at the 20 bottom? Well, it's a translated newspaper article. 21 MR. TOTO: If you could, pull up the English, please. 22 Q. And the bottom says, "Date of publication: October 20th, 23 2001." Do you see that? 24 A. Yes, I do. 25 Q. Okay. So this is three days before the meeting between Lydia Zinn, CSR #9223, and Belle Ball, CSR #8785 Official Reporters - U.S. District Court (415) 531-6587</p>